

Senate Journal

Second Regular Session of the Fiftieth Legislature of the State of Oklahoma

Fortieth Legislative Day, Wednesday, April 19, 2006

The Senate was called to order by Senator Paddack.

Roll Call:

Present: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.—46.

Excused: Wilcoxson.—1.

Vacancy: District 38.—1.

Senator Paddack declared a quorum present.

The prayer was offered by Reverend Randy Southerland, New Hope Baptist Church, Duncan, the guest of Senator Lawler.

REPORT OF ENGROSSED AND ENROLLED MEASURES

HBs 2485, 2522, 2592, 2611, 2621, 2882 and 3016 were each correctly engrossed and, together with engrossed **SAs**, properly signed and ordered returned to the Honorable House.

SBs 1318, 1405, 1453 and 1459 were each correctly enrolled and after fourth reading, properly signed and ordered transmitted to the Honorable House for signature of the Speaker.

SRs 93 and 95 were each correctly enrolled, properly signed and ordered transmitted to the Secretary of State.

**PENDING SENATE ACTION
HOUSE REQUEST FOR CONFERENCE**

Upon motion of Senator Fisher, the request of the Honorable House for conference on **HBs 2165, 2486, 2487, 2585, 2690, 2771, 2833 and 3122** was ordered granted and Senate conferees to be named later.

GENERAL ORDER

HB 2465 by Askins of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved to amend **HB 2465**, Page 1, by restoring the title, which amendment was declared adopted.

The above amendment restores **HB 2465** to the engrossed version of the bill.

Senator Gumm moved that **HB 2465** be advanced, which motion was declared adopted.

THIRD READING

HB 2465 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Williamson, Wilson and Wyrick.--41.

Excused: Capps, Coffee, Morgan, Pruitt, Taylor and Wilcoxson.--6.

Vacancy: District 38.--1.

The bill passed.

HB 2465 was properly signed and ordered returned to the Honorable House.

PENDING CONSIDERATION OF HAS

HAs to SB 1672 were rejected upon motion of Senator Fisher, conference requested, and Senate conferees to be named later.

GENERAL ORDER

HB 3019 by Armes et al of the House and Bass of the Senate was called up for consideration.

Senator Corn moved to amend **HB 3019**, Page 2, Lines 9 through 16, by deleting Section 3 and inserting in lieu thereof a new Section 3 to read as follows:

“SECTION 3. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 1689 of Title 69, unless there is created a duplication in numbering, reads as follows:

State Highways 271 and 9, beginning in Spiro to the Poteau River Bridge, North of Pocola shall be designated the “Judy Davis Memorial Highway”. The Department of Transportation shall cause suitable permanent markers to be placed on the highway bearing that name.”, and by amending the title to conform, which amendment was declared adopted.

Senator Bass moved that **HB 3019** be advanced, which motion was declared adopted.

THIRD READING

HB 3019 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--42.

Excused: Capps, Coffee, Morgan, Pruitt and Wilcoxson.--5.

Vacancy: District 38.--1.

The bill passed.

HB 3019 was referred for engrossment.

GENERAL ORDER

HB 2461 by Coody et al of the House and Gumm et al of the Senate was called up for consideration.

Senator Gumm moved that **HB 2461** be advanced, which motion was declared adopted.

THIRD READING

HB 2461 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddock, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--42.

Excused: Capps, Coffee, Morgan, Pruitt and Wilcoxson.--5.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2461 was referred for engrossment.

GENERAL ORDER

HB 2766 by Roggow of the House and Rabon of the Senate was called up for consideration.

Senator Rabon moved that **HB 2766** be advanced, which motion was declared adopted.

THIRD READING

HB 2766 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison,

Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--42.

Excused: Capps, Coffee, Morgan, Pruitt and Wilcoxson.--5.

Vacancy: District 38.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Rabon served notice that the vote be reconsidered whereby **HB 2766** passed.

GENERAL ORDER

HB 2587 by Duncan and Wesselhoft of the House and Brogdon of the Senate was called up for consideration.

Senator Brogdon moved to amend **HB 2587**, Page 1, by striking the title, which amendment was declared adopted.

Senator Hobson moved to amend **HB 2587**, Page 1 Line 29 and Page 2, Lines 7 and 16, by deleting the word "Major" and inserting in lieu thereof the word "Colonel", which amendment was withdrawn upon request of Senator Hobson.

Senator Brogdon moved that **HB 2587** be advanced, which motion was declared adopted.

THIRD READING

HB 2587 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--43.

Excused: Capps, Coffee, Pruitt and Wilcoxson.--4.

Vacancy: District 38.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Brogdon served notice that the vote be reconsidered whereby **HB 2587** passed.

Senator Corn presiding.

GENERAL ORDER

HB 2512 by Terrill et al of the House and Hobson et al of the Senate was called up for consideration.

Senator Hobson moved to amend **HB 2512**, Page 1, Line 15 ½, by inserting new Sections 1 and 2, amending 68 O.S. Supp. 2005, Sections 1001 and 1004. (Copies were provided to all Senators.)

Senator Gumm moved to table the Hobson amendment.

Senator Cain raised a question of the Chair that there was a tabling motion before the Senate and all members are allowed to debate before the tabling motion is pressed. The Chair ruled that the tabling motion had been made and was in proper order at that time.

Senator Gumm pressed his motion to table the Hobson amendment, which tabling motion was declared adopted upon roll call as follows:

Aye: Aldridge, Barrington, Bass, Branan, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Ford, Garrison, Gumm, Johnson (M), Jolley, Justice, Lamb, Laughlin, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Riley, Taylor, Williamson and Wyrick.--29.

Nay: Adelson, Anderson, Cain, Easley, Eason McIntyre, Fisher, Harrison, Hobson, Johnson (C), Laster, Lawler, Leftwich, Rabon, Shurden and Wilson.--15.

Excused: Capps, Pruitt and Wilcoxson.--3.

Vacancy: District 38.--1.

Senator Hobson moved that **HB 2512** be advanced, which motion was declared adopted.

THIRD READING

HB 2512 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--43.

Excused: Capps, Pruitt and Wilcoxson.--3.

Vacancy: District 38.--1.

* Not Voting: Brogdon.—1.

The bill and emergency passed.

*Senator Brogdon asked to be shown not voting on **HB 2512** for reason of personal interest, as provided in Article V, Section 24, Oklahoma Constitution.

HB 2512 was referred for engrossment.

GENERAL ORDER

HB 2490 by Nance et al of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved to amend **HB 2490**, Page 6, Lines 5 through 9, by deleting subsection B and inserting in lieu thereof a new subsection B to read as follows:

“B. In addition to the amount collected pursuant to paragraphs 2 through 6 of subsection A of this section, the sum of Six Dollars (\$6.00) shall be assessed and credited to the Law Library Fund pursuant to Section 1201 et seq. of Title 20 of the Oklahoma Statutes.”, which amendment was declared adopted.

Senator Coffee moved that **HB 2490** be advanced, which motion was declared adopted.

THIRD READING

HB 2490 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm,

Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--43.

Excused: Cain, Capps, Pruitt and Wilcoxson.--4.

Vacancy: District 38.--1.

The bill passed.

HB 2490 was referred for engrossment.

GENERAL ORDER

HB 2480 by Rousselot and Nance of the House and Easley of the Senate was called up for consideration.

Senator Easley asked that **HB 2480** be laid over temporarily, which was the order.

HB 2480 remains on General Order.

GENERAL ORDER

HB 2541 by Shumate et al of the House and Eason McIntyre of the Senate was called up for consideration.

Senator Eason McIntyre moved that **HB 2541** be advanced, which motion was declared adopted.

THIRD READING

HB 2541 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--44.

Excused: Capps, Pruitt and Wilcoxson.--3.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2541 was referred for engrossment.

GENERAL ORDER

HB 2796 by Nations of the House and Garrison of the Senate was called up for consideration.

Senator Garrison moved that **HB 2796** be advanced, which motion was declared adopted.

THIRD READING

HB 2796 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Riley, Shurden, Taylor, Wilson and Wyrick.--41.

Excused: Capps, Lawler, Pruitt, Rabon, Wilcoxson and Williamson.--6.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2796 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2102 by Cox of the House and Paddack of the Senate was called up for consideration.

Senator Paddack moved that **HB 2102** be advanced, which motion was declared adopted.

THIRD READING

HB 2102 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--42.

Excused: Capps, Harrison, Leftwich, Pruitt and Wilcoxson.--5.

Vacancy: District 38.--1.

The bill passed.

HB 2102 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2535 by Adkins et al of the House and Gumm et al of the Senate was called up for consideration.

Senator Gumm moved that **HB 2535** be advanced, which motion was declared adopted.

THIRD READING

HB 2535 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--44.

Excused: Capps, Pruitt and Wilcoxson.--3.

Vacancy: District 38.--1.

The bill passed.

HB 2535 was referred for engrossment.

GENERAL ORDER

HB 2480 by Rousselot and Nance of the House and Easley of the Senate was called up for further consideration.

Senator Easley moved that **HB 2480** be advanced, which motion was declared adopted.

THIRD READING

HB 2480 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Riley, Taylor, Wilson and Wyrick.--41.

Excused: Capps, Pruitt, Rabon, Shurden, Wilcoxson and Williamson.--6.

Vacancy: District 38.--1.

The bill passed.

HB 2480 was referred for engrossment.

GENERAL ORDER

HB 2807 by Terrill of the House and Garrison of the Senate was called up for consideration.

Senator Garrison moved that **HB 2807** be advanced, which motion was declared adopted.

THIRD READING

HB 2807 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Barrington, Bass, Branan, Coates, Crutchfield, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Jolley, Lamb, Laughlin, Leftwich, Mazzei, Morgan, Myers, Nichols, Paddack, Shurden, Taylor and Wyrick.--23.

Nay: Adelson, Aldridge, Anderson, Brogdon, Cain, Coffee, Corn, Crain, Easley, Eason McIntyre, Ford, Johnson (M), Justice, Laster, Lawler, Lerblance, Rabon, Reynolds, Riley, Williamson and Wilson.--21.

Excused: Capps, Pruitt and Wilcoxson.--3.

Vacancy: District 38.--1.

The bill failed.

Pursuant to Rule 12-23, Senator Garrison served notice that the vote be reconsidered whereby **HB 2807** failed.

GENERAL ORDER

HB 2591 by Case of the House and Aldridge and Garrison of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2591** be advanced, which motion was declared adopted.

THIRD READING

HB 2591 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor and Wyrick.--40.

Excused: Anderson, Capps, Fisher, Pruitt, Wilcoxson, Williamson and Wilson.--7.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2591 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2612 by Case of the House and Branam of the Senate was called up for consideration.

Senator Branam moved to amend **HB 2612**, Page 1, by striking the title, which amendment was declared adopted.

Senator Branam moved that **HB 2612** be advanced, which motion was declared adopted.

THIRD READING

HB 2612 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branam, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Taylor, Williamson and Wyrick.--39.

Nay: Cain, Johnson (C), Lerblance and Shurden.--4.

Excused: Capps, Pruitt, Wilcoxson and Wilson.--4.

Vacancy: District 38.--1.

The bill passed.

HB 2612 was referred for engrossment.

GENERAL ORDER

HB 2375 by Newport and Peterson (Ron) of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2375** be advanced, which motion was declared adopted.

THIRD READING

HB 2375 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson and Wyrick.--43.

Excused: Capps, Pruitt, Wilcoxson and Wilson.--4.

Vacancy: District 38.--1.

The bill passed.

HB 2375 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2699 by Johnson of the House and Coffee of the Senate was called up for consideration.

Senator Coffee moved that **HB 2699** be advanced, which motion was declared adopted.

THIRD READING

HB 2699 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor and Wyrick.--42.

Excused: Capps, Pruitt, Wilcoxson, Williamson and Wilson.--5.

Vacancy: District 38.--1.

The bill passed.

HB 2699 was referred for engrossment.

GENERAL ORDER

HB 2363 by Banz of the House and Riley of the Senate was called up for consideration.

Senator Riley moved that **HB 2363** be advanced, which motion was declared adopted.

THIRD READING

HB 2363 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Taylor and Wyrick.--41.

Excused: Capps, Pruitt, Shurden, Wilcoxson, Williamson and Wilson.--6.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2363 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2609 by Case et al of the House and Laster of the Senate was called up for consideration.

Senator Leftwich asked to coauthor **HB 2609**, which was the order.

Senator Laster moved to amend **HB 2609**, Page 5, Line 4, by deleting after the period and before the word "court" the word "The" and inserting the words: "Upon a finding by the court that a defendant poses a serious threat to the victim or a member of the immediate family of the victim, the"; Page 5, Lines 5 through 7, by deleting on Line 5 after the word "device" all language beginning with the word "and" through the word "fees" on Line 7 and inserting the words: "A defendant ordered to be placed on an active global position system monitoring device shall pay all supervision fees. The court shall not order the

defendant to be placed on an active global position system monitoring device unless the court first determines that the defendant is financially able to pay the supervision fees”; Page 11, Line 15, by inserting after the word “court” and before the word “may” the words: “, upon a finding that the defendant poses a serious threat to the victim or a member of the immediate family of the victim,”; and Page 11, Lines 16 through 18, by deleting on Line 16 after the word “device” all language beginning with the word “and” through the word “fees” on Line 18 and inserting the words: “Any defendant ordered to be placed on an active global position system monitoring device shall pay all supervision fees. The court shall not order the defendant to be placed on an active global position system monitoring device unless the court first determines that the defendant is financially able to pay the supervision fees.”, which amendment was declared adopted.

Senator Laster moved that **HB 2609** be advanced, which motion was declared adopted.

THIRD READING

HB 2609 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson and Wyrick.--43.

Excused: Capps, Pruitt, Wilcoxson and Wilson.--4.

Vacancy: District 38.--1.

The bill passed.

HB 2609 was referred for engrossment.

GENERAL ORDER

HB 2655 by Winchester et al of the House and Lawler of the Senate was called up for consideration.

Senator Lawler moved to amend **HB 2655**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Lawler moved that **HB 2655** be advanced, which motion was declared adopted.

THIRD READING

HB 2655 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Branan, Brogdon, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Riley, Shurden, Taylor, Williamson and Wyrick.--40.

Excused: Bass, Cain, Capps, Pruitt, Reynolds, Wilcoxson and Wilson.--7.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2655 was referred for engrossment.

GENERAL ORDER

HB 2813 by Denney et al of the House and Shurden of the Senate was called up for consideration.

Senator Shurden moved to amend **HB 2813**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Shurden moved to amend the floor substitute to **HB 2813**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Reynolds moved to amend the floor substitute to **HB 2813**, Page 1, Lines 22 and 23, by deleting after the word "any" on Line 22 and before the word "either" on Line 23 the words "domestic animal" and inserting in lieu thereof the word "livestock", and by amending the title to conform, which amendment was declared adopted.

Senator Rabon moved to amend the floor substitute to **HB 2813**, Page 2, Line 2 ½, by inserting a new paragraph 4 to read as follows:

“4. When provoked, killed or severely injured any domestic animal either on public or private property.”, and by amending the title to conform, which amendment failed of adoption upon roll call as follows:

Aye: Adelson, Aldridge, Coates, Coffee, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Gumm, Harrison, Hobson, Johnson (C), Laughlin, Lawler, Lerblance, Morgan, Rabon, Riley, Taylor and Wilson.--21.

Nay: Anderson, Barrington, Bass, Brogdon, Cain, Corn, Crain, Garrison, Johnson (M), Jolley, Justice, Lamb, Laster, Leftwich, Mazzei, Myers, Nichols, Paddack, Reynolds, Shurden, Williamson and Wyrick.--22.

Excused: Branan, Capps, Pruitt and Wilcoxson.--4.

Vacancy: District 38.--1.

Senator Riley moved to amend the floor substitute to **HB 2813**, Page 2, Line 3, by deleting after the word “any” and before the second word “dangerous” the words “potentially dangerous or”; Page 3, Line 24 by deleting after the letter “B.” and before the second word “dangerous” the words “Potentially dangerous or”; and Page 5, Line 11, by deleting after the first word “dangerous” and before the word “dogs” the words “and potentially dangerous”, and by amending the title to conform, which amendment was declared adopted.

Senator Cain moved to amend the floor substitute to **HB 2813**, Page 5, Line 1, by deleting the word “shall” and inserting in lieu thereof the word “may”; and Page 5, Line 2, by deleting the words “shall not” and inserting in lieu thereof the word “may”, and by amending the title to conform, which amendment was declared adopted.

Senator Shurden moved that **HB 2813** be advanced, which motion was declared adopted.

THIRD READING

HB 2813 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--43.

Excused: Capps, Coates, Pruitt and Wilcoxson.--4.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2813 was referred for engrossment.

GENERAL ORDER

HB 3020 by Armes of the House and Adelson of the Senate was called up for consideration.

Senator Lerblance moved to amend **HB 3020**, Page 1, Line 16 ½, by inserting a new Sections 1 and 2 to read as follows:

“SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 900.1 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created for each lake or reservoir in this state under the jurisdiction of the United State Corps of Engineers a Citizens Lake Committee which shall be advisory group of five persons who shall reside within a county bordering the perimeter of each lake or reservoir. The Secretary of Environment shall be responsible for creating the initial committees pursuant to the provisions of this act and is authorized to direct the promulgation of any rules necessary to implement this act. The Office of the Secretary of Environment shall be responsible for any administrative costs or travel reimbursement pursuant to this act.

B. No later than September 1, 2006, members of the individual Citizens Lake Committees created pursuant to subsection A of this section, shall be appointed by the Governor. The Governor shall strive to appoint members to represent recreation, tourism, rural and municipal water supplies, agriculture, fish, wildlife, marinas and other crucial local water related economic interests.

C. Each Citizens Lake Committee will be an active oversight committee for monitoring acceptable practical lake levels, roads and other lake or reservoir conditions and consulting with federal entities on such issues. Members shall meet with local, state and federal officials and agency representatives to discuss issues of importance regarding the management of the lake or reservoir. Annually the Governor shall call a meeting of all Citizens Lake Committees and the appropriate local, state and federal entities.

D. Members appointed to a Citizens Lake Committee shall serve without compensation but shall be eligible for actual and necessary travel reimbursement as provided by the State Travel Reimbursement Act.

E. The Secretary of Environment shall solicit public comments and recommendations relating to the duties of the Citizens Lake Committees and no later than December 15, 2006, the Secretary shall submit legislative recommendations to the Governor and the Legislature to carry out the provisions of this act.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 900.2 of Title 82, unless there is created a duplication in numbering, reads as follows:

A. There is hereby created until December 31, 2008, the Task Force on Oklahoma Hydropower. The purpose of the Task Force shall be to study the economic and environmental impact hydropower has in the state and to analyze the comparative value of the beneficial use of water for generation of electricity versus other beneficial uses. Specifically, the Task Force shall study, hold public hearings, and make recommendations on:

1. The overall impact the use of water for generation of electricity has on the economy of the state and the local economy of areas surrounding the lakes or reservoirs where hydropower facilities are located, including but not limited to the impact on tourism, recreation, and agriculture;

2. The overall impact the use of water for generation of electricity has on the environment of the areas surrounding the lakes or reservoirs where hydropower facilities are located, including the impact on wildlife resources;

3. The type of hydrological and geohydrological studies that need to be conducted for lakes and reservoirs on which hydropower facilities are located; and

4. The assessment of a fee for the use of water for the generation of electricity.

B. The Task Force shall be composed of thirteen (13) members as follows:

1. One member of the House of Representatives to be appointed by the Speaker of the House of Representatives;

2. One member of the State Senate to be appointed by the President Pro Tempore of the Senate;

3. One member representing the Corporation Commission selected by the Corporation Commission;

4. The Director of the Oklahoma Water Resources Board or a designee;

5. The Executive Director of the Oklahoma Tourism and Recreation Department or a designee;

6. The General Manager of the Grand River Dam Authority or a designee;

7. Two members appointed by the Governor, as follows:

- a. one representative of the Oklahoma Municipal League, and
- b. one representative of a rural electric cooperative which purchases electricity generated by a hydropower facility in the state;

8. Two members appointed by the Speaker of the House of Representatives, as follows:

- a. one from a lake association that is recognized by the Oklahoma Tourism and Recreation Department as the official lake association of a lake or reservoir on which there are hydropower facilities, and
- b. one representative of a permitted user of water from a lake or reservoir on which a hydropower facility is located;

9. Two members appointed by the President Pro Tempore of the Senate, as follows:

- a. one from a lake association that is recognized by the Oklahoma Tourism and Recreation Department as the official lake association of a lake or reservoir on which there are hydropower facilities; and

- b. one representative of a permitted user of water from a lake or reservoir on which a hydropower facility is located; and

10. One member representing the Oklahoma Water Resources Research Institute located at Oklahoma State University.

C. The first meeting of the Task Force shall be convened by the Director of the Oklahoma Water Resources Board. At the first meeting, members of the Task Force shall select cochairs of the Task Force. The Task Force shall meet at the call of either cochairs.

D. Staffing assistance for the Task Force shall be provided by the staff of the Oklahoma Water Resources Board. Technical assistance for the Task Force shall be provided by the Oklahoma Water Resources Board, the Oklahoma Geological Survey, and the Corporation Commission.

E. The Task Force shall present a written report of findings and recommendations to the Legislature and the Governor by December 31, 2008.

F. Members of the Task Force shall receive no compensation for serving on the Task Force but may receive travel reimbursement as follows:

1. Legislative members of the Task Force may be reimbursed for necessary travel expenses incurred in the performance of duties, in accordance with Section 456 of Title 74 of the Oklahoma Statutes, from the legislative body in which they serve; and

2. Other members of the Task Force may be reimbursed for necessary travel expenses incurred in the performance of duties by the respective agency or appointing authorities in accordance with the State Travel Reimbursement Act.”.

Senator Rabon moved to amend the Lerblance amendment, by deleting subsection B of Section 1 and inserting in lieu thereof a new subsection B to read as follows:

“B. No later than September 1, 2006, the members of Citizens Lake Committee created pursuant to subsection A of this section shall be appointed as follows:

- (1) Two (2) members shall be appointed by the Governor;
- (2) 1 member shall be appointed by the President Pro Tempore of the Senate;
- (3) 1 member shall be appointed by the Speaker of the House of Representatives; and
- (4) 1 member shall be the Executive Director of the Oklahoma Water Resources Board or designee.

Each appointing authority shall strive to appoint members to represent recreation, tourism, rural and municipal water supplies, agriculture, fish, wildlife, marinas and other crucial local water related economic interests.”, which amendment was declared adopted.

Senator Lerblance pressed the adoption of his amendment as amended, which amendment was declared adopted.

Senator Adelson moved that **HB 3020** be advanced, which motion was declared adopted.

THIRD READING

HB 3020 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--42.

Excused: Capps, Coates, Lawler, Pruitt and Wilcoxson.--5.

Vacancy: District 38.--1.

The bill passed.

Senator Lawler desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 43; Excused: 4; Vacancy: 1.

The emergency passed.

HB 3020 was referred for engrossment.

Senator Fisher moved that the Senate recess until 1:30 p.m., which motion was declared adopted.

*

The Senate reconvened with Senator Corn presiding.

Senator Corn questioned the presence of a quorum and ordered the roll called, following which a quorum was declared present.

GENERAL ORDER

HB 3116 by Peterson (Ron) and Nance of the House and Fisher of the Senate was called up for consideration.

Senator Fisher moved that **HB 3116** be advanced, which motion was declared adopted.

THIRD READING

HB 3116 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Reynolds, Riley, Taylor, Williamson, Wilson and Wyrick.--40.

Nay: Rabon and Shurden.--2.

Excused: Adelson, Coffee, Johnson (C), Pruitt and Wilcoxson.--5.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 3116 was referred for engrossment.

GENERAL ORDER

HJR 1010 by Tibbs et al of the House and Riley of the Senate was called up for consideration.

Senator Riley moved that **HJR 1010** be advanced, which motion was declared adopted.

THIRD READING

HJR 1010 was read for the third time at length.

On the question of passage of the resolution and emergency, the vote resulted as follows:

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson and Wilson.--41.

Excused: Adelson, Coffee, Johnson (C), Pruitt, Wilcoxson and Wyrick.--6.

Vacancy: District 38.--1.

The resolution and emergency passed.

HJR 1010 was referred for engrossment.

GENERAL ORDER

HB 2552 by DePue of the House and Bass of the Senate was called up for consideration.

Senator Bass moved that **HB 2552** be advanced, which motion was declared adopted.

THIRD READING

HB 2552 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--44.

Excused: Adelson, Pruitt and Wilcoxson.--3.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2552 was referred for engrossment.

GENERAL ORDER

HB 2934 by Peterson (Ron) of the House and Aldridge of the Senate was called up for consideration.

Senator Aldridge moved that **HB 2934** be advanced, which motion was declared adopted.

THIRD READING

HB 2934 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--44.

Excused: Adelson, Coates and Wilcoxson.--3.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2934 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2865 by Worthen of the House and Cain of the Senate was called up for consideration.

Senator Cain moved that **HB 2865** be advanced, which motion was declared adopted.

THIRD READING

HB 2865 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Shurden, Taylor, Wilson and Wyrick.--42.

Excused: Adelson, Eason McIntyre, Rabon, Wilcoxson and Williamson.--5.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2865 was properly signed and ordered returned to the Honorable House.

GENERAL ORDER

HB 2147 by Piatt of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved to amend **HB 2147**, Page 2, Line 2, by inserting after the word “was” the word “not”; and Page 1, by restoring the title, which amendment was declared adopted.

Senator Gumm moved that **HB 2147** be advanced, which motion was declared adopted.

THIRD READING

HB 2147 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--43.

Excused: Adelson, Coffee, Rabon and Wilcoxson.--4.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2147 was referred for engrossment.

UNANIMOUS CONSENT REQUEST DIRECT TO CALENDAR

Senator Morgan asked unanimous consent to suspend Rule 5-4 and refer **SR 96** direct to the Calendar for consideration, which was the order.

GENERAL ORDER

SR 96 by Morgan was called up for consideration.

All other members of the Senate asked to coauthor **SR 96**, which was the order.

SR 96 was adopted upon motion of Senator Morgan and referred for enrollment.

GENERAL ORDER

HJR 1042 by Winchester and Peters of the House and Fisher of the Senate was called up for consideration.

Senator Fisher moved that **HJR 1042** be advanced, which motion was declared adopted.

THIRD READING

HJR 1042 was read for the third time at length.

On the question of passage of the resolution, the vote resulted as follows:

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--44.

Nay: Rabon.--1.

Excused: Adelson and Wilcoxson.--2.

Vacancy: District 38.--1.

The resolution passed.

HJR 1042 was referred for engrossment.

GENERAL ORDER

HB 2598 by Wright of the House and Laughlin and Cain of the Senate was called up for consideration.

Senator Laughlin moved to amend **HB 2598**, Page 23, Line 1, by inserting after the word “order” and before the comma the following language “or the parents do not agree to a modification of the child support order”, and by amending the title to conform, which amendment was declared adopted.

Senator Laughlin moved that **HB 2598** be advanced, which motion was declared adopted.

THIRD READING

HB 2598 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--45.

Excused: Adelson and Wilcoxson.--2.

Vacancy: District 38.--1.

The bill passed.

HB 2598 was referred for engrossment.

MESSAGE FROM THE HOUSE HAS TO SENATE BILLS

Advising passage of and returning the following engrossed bills as amended:

SB 267 - coauthored by Shoemake, Hyman, Roan and Walker of the House

SB 1357 - coauthored by Smithson and Brannon of the House

SB 1435

SB 1463

SB 1594

SB 1644 - remove Askins as House coauthor and coauthored by Denney, Dank, Peterson (Pam) and Kern of the House and coauthored by Rabon of the Senate

SB 1921 - coauthored by Adkins and Shumate of the House

House amendments were read on the above-numbered bills.

MESSAGES FROM THE HOUSE

Advising fourth reading of and transmitting for signature Enrolled **HBs 2358, 2527 and 3042**.

The above-numbered enrolled measures were, after fourth reading, properly signed and ordered returned to the Honorable House.

Advising fourth reading of and returning Enrolled **SBs 1318, 1405, 1453 and 1459**.

The above-numbered enrolled measures were referred to the Governor.

Advising passage of and transmitting for consideration Engrossed **HJR 1072**.

HJR 1072 – By Blackwell of the House and Laughlin of the Senate.

A Joint Resolution relating to amendments to permanent rules of the Oklahoma Water Resources Board; disapproving, in part, amendments to permanent rules OAC 785:5-1-6, regarding stream water permit application fees; OAC 785:5-1-10, regarding groundwater application fees; OAC 785:20-9-5, regarding annual reports of water use for stream water; and OAC 785:30-5-9, regarding annual reports of water use for groundwater reports; directing distribution; and declaring an emergency.

The above-numbered measure was read the first time.

GENERAL ORDER

HB 2559 by Peters and McDaniel of the House and Crain of the Senate was called up for consideration.

Senator Crain moved to amend **HB 2559**, Page 1, by restoring the title, which amendment was withdrawn upon request of Senator Crain.

Senator Cain moved to amend **HB 2559**, Page 1, Lines 12 through 21, by deleting Section 1 and by renumbering subsequent sections, which amendment failed of adoption upon roll call as follows:

Aye: Branan, Cain, Capps, Corn, Crutchfield, Eason McIntyre, Fisher, Garrison, Harrison, Hobson, Laster, Lawler, Leftwich, Lerblance, Morgan, Paddack, Rabon, Shurden, Taylor, Wilson and Wyrick.--21.

Nay: Aldridge, Anderson, Barrington, Bass, Brogdon, Coates, Coffee, Crain, Easley, Ford, Gumm, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laughlin, Mazzei, Myers, Nichols, Pruitt, Reynolds, Riley and Williamson.--24.

Excused: Adelson and Wilcoxson.--2.

Vacancy: District 38.--1.

Senator Crain moved that **HB 2559** be advanced, which motion was declared adopted.

THIRD READING

HB 2559 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Anderson, Barrington, Bass, Branan, Coates, Coffee, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Harrison, Hobson, Johnson (M), Jolley, Justice, Lamb, Laster, Lawler, Leftwich, Mazzei, Morgan, Myers, Nichols, Reynolds, Riley, Shurden, Taylor, Williamson and Wilson.--32.

Nay: Aldridge, Brogdon, Cain, Capps, Corn, Gumm, Johnson (C), Laughlin, Lerblance, Paddack, Pruitt, Rabon and Wyrick.--13.

Excused: Adelson and Wilcoxson.--2.

Vacancy: District 38.--1.

The bill passed.

Senator Wyrick desired to vote Aye on the emergency.

On the question of passage of the emergency, the vote resulted as follows: Aye: 33; Nay: 12; Excused: 2; Vacancy: 1.

The emergency passed.

HB 2559 was referred for engrossment.

GENERAL ORDER

HB 2421 by Bingman of the House and Fisher of the Senate was called up for consideration.

Senator Fisher moved to amend **HB 2421**, by striking the title, the enacting clause and the entire body of the bill and substituting the floor substitute, which amendment was declared adopted. (Copies were provided for all Senators.)

Senator Fisher moved that **HB 2421** be advanced, which motion was declared adopted.

THIRD READING

HB 2421 was read for the third time at length.

On the question of passage of the bill, the vote resulted as follows:

Aye: Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley, Shurden, Taylor, Williamson, Wilson and Wyrick.--44.

Excused: Adelson, Pruitt and Wilcoxson.--3.

Vacancy: District 38.--1.

The bill passed.

HB 2421 was referred for engrossment.

GENERAL ORDER

HB 2867 by Worthen of the House and Gumm of the Senate was called up for consideration.

Senator Gumm moved to amend **HB 2867**, Page 1, by restoring the title, which amendment was declared adopted.

Senator Gumm moved that **HB 2867** be advanced, which motion was declared adopted.

THIRD READING

HB 2867 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Reynolds, Riley,

Shurden, Taylor, Williamson, Wilson and Wyrick.--43.

Nay: Aldridge and Pruitt.--2.

Excused: Adelson and Wilcoxson.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

Pursuant to Rule 12-23, Senator Aldridge served notice that the vote be reconsidered whereby **HB 2867** passed.

Senator Paddack presiding.

GENERAL ORDER

HB 2653 by Winchester et al of the House and Fisher of the Senate was called up for consideration.

Senator Fisher moved that **HB 2653** be advanced, which motion was declared adopted.

THIRD READING

HB 2653 was read for the third time at length.

On the question of passage of the bill and emergency, the vote resulted as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Pruitt, Riley, Taylor, Williamson, Wilson and Wyrick.--40.

Nay: Brogdon, Laughlin, Rabon, Reynolds and Shurden.--5.

Excused: Eason McIntyre and Wilcoxson.--2.

Vacancy: District 38.--1.

The bill and emergency passed.

HB 2653 was referred for engrossment.

Senator Corn presiding.

EXECUTIVE NOMINATION

The following executive nomination has been approved by the committee named:

Anthony, Calvin, Stillwater, to the Board of Regents for the Oklahoma Agricultural and Mechanical Colleges, to serve an eight year term ending April 4, 2014, succeeding Ed Keller. (Education Committee) Motion to confirm made by Senator Morgan.

Motion to confirm the above-named executive nomination was declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Corn, Crutchfield, Easley, Eason McIntyre, Fisher, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Lamb, Laster, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon, Riley, Shurden, Taylor, Wilson and Wyrick.--37.

Nay: Anderson, Coffee, Crain, Ford, Justice, Laughlin, Reynolds and Williamson.--8.

Excused: Pruitt and Wilcoxson.--2.

Vacancy: District 38.--1.

EXECUTIVE NOMINATIONS

The following executive nominations have been approved by the committees named:

Cole, Joe, Edmond, to the Board of Regents for Rose State College, to serve a seven year term ending July 1, 2013, succeeding himself. (Education Committee) Motion to confirm made by Senator Jolley.

Scott, Stephen, Mangum, to the Board of Trustees for the Quartz Mountain Arts and Conference Center and Nature Park, to serve a seven year term ending June 30, 2013, succeeding himself. (Education Committee) Motion to confirm made by Senator Capps.

Motions to confirm the above-named executive nominations were declared adopted upon roll call as follows:

Aye: Adelson, Aldridge, Anderson, Barrington, Bass, Branan, Brogdon, Cain, Capps, Coates, Coffee, Corn, Crain, Crutchfield, Easley, Eason McIntyre, Fisher, Ford, Garrison, Gumm, Harrison, Hobson, Johnson (C), Johnson (M), Jolley, Justice, Lamb, Laster, Laughlin, Lawler, Leftwich, Lerblance, Mazzei, Morgan, Myers, Nichols, Paddack, Rabon,

Reynolds, Riley, Taylor, Williamson, Wilson and Wyrick.--44.

Excused: Pruitt, Shurden and Wilcoxson.--3.

Vacancy: District 38.--1.

MESSAGES FROM THE HOUSE

Advising passage of and returning the following Engrossed bills:

SB 1355

SB 1637

SB 1803

SB 1860

SB 1897

SB 1929 - Coauthored by Duncan and DePue of the House

SCR 49 - coauthored by all House members

The above-numbered measures were referred for enrollment.

Advising passage of and transmitting for consideration Engrossed **HCR 1062**.

HCR 1062 – By Braddock of the House and Capps of the Senate.

A Concurrent Resolution relating to rules of the Oklahoma Department of Agriculture, Food, and Forestry; waiving the thirty-legislative-day review period for proposed permanent rule OAC 35:30-17-24.1 that relates to application of herbicides containing particular active ingredients to agricultural lands; and directing distribution.

The above-numbered measure was read the first time.

BILLS RELEASED

TIME EXPIRED TO RECONSIDER

HBs 2175, 2177 and **2554** were referred for engrossment.

Senator Fisher moved that when the clerk's desk is clear, the Senate stand adjourned to convene Thursday, April 20, 2006, at 9:00 a.m., which motion prevailed.

Pursuant to the Fisher motion, the Senate adjourned at 3:25 p.m. to meet Thursday, April 20, 2006, at 9:00 a.m.